

Juvenile Justice Issues Passed in the 1997 Legislative Session

Attorney General's Office, Juvenile Law Section May 30, 1997

| BILL # | SUBJECT | STATUS | COMMENTS |
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| HF 313 | CHILD ABUSE/CHILD CARE (Jacobs) Requires the DHS to perform child abuse checks on day care providers who are not registered or licensed by DHS but are receiving public funds. Subjects such providers to the same penalties as registered and licensed providers. | Signed by the Governor, 4/18/97. | |
| HF 331 | STUDENT LOCKER SEARCHES (Richardson) Allows school officials to search student lockers and desks at any time and for any reason so long as notice of the policy is given annually to students and parents. | Signed by the Governor, 4/29/97. | Bill is effective as of 4/29/97. |
| HF 376 | JUVENILE HEARINGS, PLACEMENTS. (DHS) Requires delinquency dispositional hearings and other hearings to be held every 12 months. Requires an agency placing a child out of state to visit the child at least every 12 months. Requires a juvenile offender being placed in group foster care to be placed in the most family-like and appropriate placement possible. Other provisions. | Signed by the Governor, 5/1/97. | |
| HF 545 | TRAINING SCHOOL CRITERIA (AG) Adds a prior placement in day treatment to the training school admissions criteria as an alternative to a prior residential treatment placement. | Signed by the Governor, 4/17/97. | |
| HF 597 | LEARNFARE (Education Committee bill) Authorizes public and non-public schools to notify DHS if a student whose family is receiving FIP assistance is truant. Deducts 25% of a family's FIP payment as a sanction for truancy. | Signed by the Governor, 5/21/97. | |

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| HF 698 | CHILD ABUSE REGISTRY (Boddicker) Provides for placement on the child abuse registry of cases meeting the statutory definition of child abuse unless determined by DHS to be "minor, isolated and unlikely to reoccur." Directs DHS to convene a group of child abuse experts, including members of the child death review team, to develop criteria for determining which cases are "minor, isolated and unlikely to reoccur." | Signed by the Governor, 5/21/97. | |
| HF 715 | HUMAN SERVICES APPROPRIATION - Appropriations: For FY '98, appropriates \$729.5 million for the General Fund and \$135.4 million from other funds to DHS. Legislative Directives: Required DHS to establish a plan for elimination of CACT teams by June 30, 1998. Directs DHS and juvenile court to keep the group foster care program within budget. Future RFPs for managed care contracts should allow regional or statewide coverage. Directs DHS and Dept. of Health to study feasibility of combining mental health and substance abuse services in future managed care contracts. Requires DHS to work with providers to develop and implement a plan for reducing paperwork and reporting requirements. Studies: Requests the Legislative Council to establish a juvenile justice issues oversight task force and to establish a services restructuring task force. Requests the Legislative Council to submit a request to the IACIR to review the provision and coordination of mental health services for children. Other provisions. | Item vetoed and signed by the Governor, 5/19/97. | Vetoed items concern FIP; unused capacity in state institutions; and a provision which would have forbidden inclusion of PMICs in managed mental health care contracts. |
| HF 733 | INFRASTRUCTURE APPROPRIATIONS - Among other things, appropriates \$1.6 million for a new 24 bed living cottage, \$800,000 for a new multipurpose building, and \$200,000 for design of a new school building at the state training school at Eldora. Also appropriates \$350,000 for renovation of an existing cottage to provide 10 additional beds at the state juvenile home at Toledo. | Item vetoed and signed by the Governor, 5/29/97. | Training School and Juvenile Home improvements were not among the items vetoed. |

| BILL # | SUBJECT | STATUS | COMMENTS |
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| HF 734 | FEES & FINES Imposes a \$200 penalty for certain drivers' license revocations. Directs the state to spend the first \$1 million for establishment, improvement, operation and maintenance of county juvenile detention centers. Directs that any money over \$1 million collected from such fines be distributed to judicial districts for court ordered services to juveniles. Allows judicial districts to retain unexpended funds at the end of the fiscal year. LSB estimates \$3.3 million. | Signed by the Governor, 5/26/97. | |
| SF 123 | RUNAWAYS. (Lundby & Maddox) Defines chronic runaway as more than one run in a month or more than 3 in 12 months; authorizes counties to develop runaway assessment and treatment centers. Authorizes holding runaways up to 48 hrs in an assessment center and requires that the youth and the parents receive counseling before the youth is released. Assessment centers must meet state child foster care standards. | Signed by the Governor, 5/1/97. | No funding in this bill. Discretionary funds in HF 734. |
| SF 176 | REPORTING CHILD ABUSE (A.G.) Requires mandatory reporters of child abuse to also report the sexual abuse of a child under 12 by someone who is not the child's caretaker. | Signed by the Governor, 4/30/97. | |
| SF 230 | STATEWIDE CHILD ABUSE ASSESSMENTS. Requires DHS to expand the child abuse assessment program statewide by July 1, 1998. Makes conforming changes in the Code to reflect the shift to the child abuse assessment program. States that corporal punishment which does not injure the child is not child abuse. | Signed by the Governor, 4/18/97. | |
| SF 499 | TOBACCO (Iverson) Increases the penalty for smoking, using, possessing, purchasing, or attempting to purchase tobacco by persons under age 18. 1st offense: \$25 fine. 2nd offense: \$50 fine. 3rd and subsequent offenses: \$100 fine. Allows local communities to keep all fines. | Signed by the Governor, 4/24/97. | |

| BILL # | SUBJECT | STATUS | COMMENTS |
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| SF 515 | <p>JUVENILE OFFENDERS - An omnibus bill which 1) changes the penalties for purchase, possession, gift and sale of alcohol to underage persons; 2) changes dramshop liability; 3) provides for notice by law enforcement to schools if students are in possession of alcohol; 4) allows fingerprints and photographs of juveniles; 5) permits victims to make oral victim impact statements; 6) allows sharing of information between schools, law enforcement and juvenile courts for the purpose of providing services to youth; 7) provides for shared jurisdiction between juvenile and adult courts; 8) makes changes relating to reimbursement of attorneys in juvenile court; 9) permits release of information concerning youth who escape from detention; 10) requires schools to notify juvenile court of absences or suspensions of youth under court supervision; 11) requires sheriffs to provide bailiff and other law enforcement services to associate juvenile judges; 12) includes arrest, disposition, custody and adjudication data in criminal history data kept by the department of public safety; 13) requires schools to report possession of alcohol at school functions; 14) makes use of a fake ID for the purchase of alcohol a simple misdemeanor with a \$100 fine and exempts from liability liquor sellers who are fooled by fake ID; 15) allows use of restraints on a child of any age when taken into custody; 16) makes law enforcement information public record from the time a youth is taken into custody; 17) makes all juvenile court records, including initial complaints, public record, and 18) authorizes peer courts.</p> | Signed by the Governor, 5/7/97. | |

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Bill language and history can be found at <http://www.legis.state.ia.us/GA/77GA/Legislation/>